

Economic Impact Statement
LSA Document #15-385

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**Description of rule**

The Indiana State Department of Health (ISDH) has statutory authority under [IC 16-28-1-7](#) to adopt rules governing the health and sanitation standards and the operation, maintenance, management, equipment, and construction of long term care facilities. Senate Enrolled Act 420 changed the term "mental retardation" to "intellectual disability" in the statutes affecting such long term care facilities.

This rule amends [410 IAC 16.2-1.1-19](#), [410 IAC 16.2-1.1-55](#), [410 IAC 16.2-3.1-16](#), [410 IAC 16.2-3.1-23](#), and [410 IAC 16.2-7-4](#) to replace the term "mental retardation" with "intellectual disability".

The amendment will take effect 30 days after the filing with the Publisher.

Economic impact on small businesses**1. Estimate of the number of small businesses, classified by industry sector, that will be subject to the proposed rule.**

Approximately 25-30 long term care facilities (nursing homes) may qualify as a small business under [IC 4-22-2.1-5](#).

2. Estimate of the average annual reporting, record keeping, and other administrative costs that small businesses will incur to comply with the proposed rule.

The amendments to this rule will not require any additional reporting, record keeping, or other administrative costs to comply with the proposed rule.

3. Estimate of the total annual economic impact that compliance with the proposed rule will have on all small businesses subject to the rule.

There will be no economic impact for compliance with the proposed rule. The small businesses currently follow these rules and there is no substantive change to the rules.

4. Statement justifying any requirement or cost that is imposed on small businesses by the rule, and not expressly required by the statute authorizing the agency to adopt the rule, or any other state or federal law.

The amendments to this rule do not impose any requirement or cost on small business that is not expressly required by the statute authorizing the adoption of the rule. The authorizing statute is [IC 16-28-1-7](#).

5. Regulatory flexibility analysis**Other factors considered:****A. Establishment of less stringent compliance or reporting requirements for small businesses.**

This amendment has no effect on compliance or reporting requirements for small businesses. This amendment simply brings terminology used in the state rule in compliance with terminology used in state and federal statutes and rules.

B. Establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

This amendment has no effect on schedules or deadlines for compliance or reporting requirements for small businesses. This amendment simply brings terminology used in the state rule in compliance with terminology used in state and federal statutes and rules.

C. Consolidation or simplification of compliance or reporting requirements for small businesses.

This amendment has no effect on compliance or reporting requirements for small businesses. This amendment simply brings terminology used in the state rule in compliance with terminology used in state and federal statutes and rules.

D. Establishment of performance standards for small businesses instead of design or operational standards imposed on other regulated entities by the rule.

This amendment simply brings terminology used in the state rule in compliance with terminology used in state and federal statutes and rules.

E. Exemption of small businesses from part or all of the requirements or costs imposed by the rule.

This amendment simply brings terminology used in the state rule in compliance with terminology used in state and federal statutes and rules.

Conclusion

This rule amendment proposed does not increase costs or impose burdensome requirements. All businesses, small, medium, or large, must meet the same standards statewide. This amendment simply brings terminology used in the state rule in compliance with terminology used in state and federal statutes and rules.

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